

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MUHAMMAD HIGGINBOTHAM,

Plaintiff,

v.

**PORTFOLIO RECOVERY
ASSOCIATES, LLC,**

Defendant.

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CASE NO. 2:20-cv-2006

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on this date, Defendant Portfolio Recovery Associates, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. Portfolio Recovery Associates, LLC is a defendant in a civil action originally filed on November 6, 2020 in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Muhammad Higginbotham v. Portfolio Recovery Associates, LLC* and docketed to Case No. AR-20-004290.

2. The removal is timely under 28 U.S.C. § 1446(b). PRA received service of Plaintiff's Complaint by regular mail on November 27, 2020.

3. Pursuant to 28 U.S.C. § 1446, attached here as Exhibits A and B are copies of all process, pleadings, and orders filed in the state court action.

4. The District Court¹ has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against PRA alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

5. On this date, PRA has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant Portfolio Recovery Associates, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette
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Counsel for Defendant

Dated: December 28, 2020

¹ Once again, this lawsuit was filed in Allegheny County, Pennsylvania despite the absence of any factual allegations establishing that PRA is subject to “general jurisdiction” there; despite the absence of any facts linking Plaintiff’s claims to Allegheny County; and despite the fact that according to Plaintiff’s own Complaint, his alleged causes of action clearly arose in Philadelphia County, Pennsylvania. PRA filed Preliminary Objections as to venue, and those Preliminary Objections remain pending. *See* Exhibit B.

CERTIFICATE OF SERVICE

I certify that on December 28, 2020, a true copy of the foregoing document was served
as follows:

Via E-mail and U.S. Mail Postage Prepaid

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Counsel for Plaintiff

Via Electronic Filing

Court of Common Pleas
Allegheny County
414 Grant St.
Pittsburgh, PA 15219

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